

**WATER DISTRICT 34**

P.O. Box 53  
Mackay, Idaho 83251

**RECEIVED**

**JUL 17 2000**

Department of Water Resources

July 14, 2000

Tim Luke  
Department of Water Resources  
1301 North Orchard Street  
P. O. Box 83720  
Boise, ID 83720-0098

Dear Tim:

As per our phone conversation I am forwarding my measurements of Alder Creek so far this year. On July 6<sup>th</sup> I found it to be 215" and on July 12<sup>th</sup> there was 145".

As for the easement issue on the property belonging to Matea McCray, I have also enclosed a copy of the document, which grant the easement to the Big Lost River Irrigation District.

Please call me with any questions you may have.

Sincerely,

  
Doug Rosenkrance  
Watermaster

DR:stn

enclosure

## Hollifield Law Office

249 Third Avenue East  
P.O. Box 66  
Twin Falls, Idaho 83303-0066

William R. Hollifield, Attorney at Law  
Peter J. Ampe, Attorney at Law

Telephone: (208) 734-5610  
Facsimile: (208) 734-8077

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August 2, 1996

Big Lost River Irrigation District  
P.O. Box 205  
Mackay, Idaho 83251

Dear Big Lost Irrigation District:

524-4985

My office represents Matea and John McCray. They are the owners of the a ranch near Mackay, Idaho known as the Storer Brothers Ranch on Alder Creek.

The prior owner of the ranch, Gerald Storer, entered into a covenant with the Big Lost River Irrigation District, granting an easement to the District for a settling pond, while the District agreed to maintain and operate the settling pond (attached). According to the McCrays, the settling pond is in need of maintenance, especially at the point of diversion.

On behalf of the McCrays, I formally request the District to abide by the terms of this covenant and perform the needed maintenance on the settling pond.

Thank you.

Sincerely,

  
PETER J. AMPE

enc.

cc: John and Matea McCray

TRIED FOR 2 WEEKS TO CONTACT  
PETER AMPE. HE WOULD NOT RETURN  
MY CALLS

STATE OF IDAHO  
COUNTY OF CUSTER

173163

This instrument is  
at this time in the  
at 1:00 PM on Jan 16 1985  
and duly filed in the records of Custer  
County.

Edw. M. Beck  
By Luth. B. Jensen  
EASEMENT

THIS AGREEMENT, made this 3rd day of January, 1984 by and  
between Gerald (Doug) Storer and the Big Lost River Irrigation District,  
Butte and Custer Counties, Idaho to wit:

WITNESSETH

For value received, Grantor (Gerald Storer) hereby grants, bargains,  
sells and conveys to the Big Lost River Irrigation District, an easement  
and Right-of-way to the land described below for the use as a settling  
pond for the waters of Alder Creek:

a pond approximately 100 ft. X 100 ft. described as:  
Fraction sec 13, 1/4, 1/4 section 7 Twp 6 Rge 24 E2M  
(settling pond description)

13 B1 HOUSE

GNZSE sec 7?

IT IS understood and agreed that the Big Lost River Irrigation  
District shall be responsible for, and obligated to pay, all costs of  
construction, repair, reconstruction, maintenance and operation for the  
said settling pond and its uses and will indemnify and save harmless  
Grantor from any loss or costs in connection therewith.

This easement and Right-of-way shall be perpetual, and shall inure  
to the benefit of and be of value to lands owned by Grantor and adjacent  
land owners who are users of said Alder Creek waters.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands  
the day and year first above written.

Gerald (Doug) Storer  
Gerald (Doug) Storer, Grantor for Storer Bros.

J. Doyle Jensen  
J. Doyle Jensen (Chairman)  
BIG LOST RIVER IRRIGATION DISTRICT

STATE OF IDAHO )  
COUNTY OF CUSTER )

ON THIS 3rd day of January, 1984, before me, the undersigned,  
a Notary Public in and for said State, personally appeared Gerald (Doug)  
Storer, known to me to be the person whose name is subscribed to the within  
instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official  
seal, the day and year in this certificate first above written.

SEAL

Notary Public for State of Idaho  
Residing in Mackay, Idaho  
Commission expires: life



6N24E  
Sec 13  
STILL POND  
BY HOUSE

Conservation  
EASEMENT  
Since